
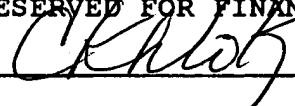
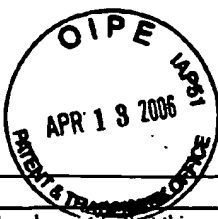


UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: 08/28/06		2 Serial/Patent # 10/023,264		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
X	Extension of Time FC 1251	none	04/13/06	\$ 120.00
	Notice of Appeal/Appeal			\$
X	Petition FC 1462	none	04/13/06	\$ 400.00
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
		7 TOTAL AMOUNT OF REFUND		\$ 520.00
		8 TO BE REFUNDED BY:		
10 REASON:		Treasury Check		
	Overpayment	5	Credit Deposit A/C #:	
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X	No Fee Due (Explanation):			
No extension of time required as a period for reply was not applicable, and there is no fee associated with the filing of a renewed petition under 37 CFR 1.55(c).				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: Paul Shanoski		TITLE: Senior Attorney		
SIGNATURE: 		PHONE: 571-272-3225		
OFFICE: Office of Petitions				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED: 		DATE: 8/30/06		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



04-17-06

2/11/06
1/11/06PATENT
GNA-7005162001

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" (Express Mail Label No. EV 347 036 332 US under 37 CFR § 1.10 on the date indicated and is addressed to: Mail Stop Petitions; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 13, 2006

Name of Person Certifying:
Printed Name: Sheila Badon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Nils Peter Nordqvist, et al.

Serial No.: 10/023,264

Filed: December 18, 2001

For: HEARING PROSTHESIS WITH
AUTOMATIC CLASSIFICATION OF THE
LISTENING ENVIRONMENT

Confirmation No.: 5504

Group Art Unit: 2643

Examiner: Ensey, Brian

Attorney Handling Petition:

Paul Shanoski

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BEST AVAILABLE COPY

**RENEWED PETITION CLAIMING BENEFIT OF
EARLIER FILING DATE UNDER 37 CFR 1.55(c)**

Dear Sir:

This paper is submitted in connection with the concurrently filed Request for Continued Examination. Applicants hereby petition for acceptance of a claim of priority that was presented in the above-referenced non-provisional application after the time period provided by paragraph 37 C.F.R. § 1.78(a)(2)(ii). A claim of priority, an amendment inserting the relate-back statement in the specification, and a request for corrected filing receipt are hereby attached as EXHIBIT A and EXHIBIT B, respectively. An Application Data Sheet Under 37 CFR 1.76(b)(6) is also submitted herewith and attached as EXHIBIT E. The entire delay between the date the claim was due under 37 CFR 1.55(a)(1) and the date the claim was filed was unintentional.

On December 18, 2001, Applicants claimed priority from WO 01/76321 A1, filed April 4, 2001. The WIPO publication number was inadvertently listed instead of the PCT international

04/18/2006 AWONDAF1 00000038 502518 10023264

01 FC:1462 400.00 DA

PA/52180206.1/2024429-7005162001

Adjustment date: 08/30/2006 CKHLOK
04/18/2006 AWONDAF1 00000038 502518 10023264
01 FC:1462 400.00 CR

application number PCT/DK01/00226, filed April 4, 2001. Upon further review of the file, it has come to the undersigned's attention that the PCT/DK01/00226 also claims priority from Danish Patent Application No. PA 2000 00554, filed April 4, 2000. Applicants inadvertently omitted reference to the Danish Patent Application at the time of filing. A copy of PCT/DK01/00226 is attached as EXHIBIT C. It confirms that this application was published under WO 01/7621 A1, and also claims priority of Danish patent application No. PA 2000 00554. Also attached is a certified copy of the Danish Patent No. PA 2000 00554 as EXHIBIT D. The undersigned also notes that the statement of priority was not filed. As seen in the documents attached as EXHIBIT A, the claim of priority is as follows:

-- This application is a continuation of PCT Patent Application PCT/DK01/00226, filed April 4, 2001, which claims priority from Danish Patent Application PA 2000 00554, filed April 4, 2000.--


Applicants request that the Office enter and consider this petition.

This paper is accompanied by a petition for a one month extension of time to extend the period to respond to the Office Communication to April 13, 2006. The Commissioner is authorized to charge the appropriate fee under 37 C.F.R. § 1.136(a), and any fee in connection with this petition, to Deposit Account No. 502518, referencing Attorney Docket No. 7005152001.

If the Examiner determines that a telephone interview would advance handling of this matter, the Examiner is respectfully requested to contact the undersigned at (650) 849-4960.

DATE: April 13, 2006

Respectfully submitted,

By: 
Gerald Chan
Registration No. 51,541

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4960
Facsimile: (650) 849-4800



**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
FY 2006**

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

Docket Number (Optional)

GNA-7005162001

Application Number 10/023,264

Filed December 18, 2001

For Hearing Prosthesis With Automatic Classification of The Listening Environment

Art Unit 2643

Examiner Brian Ensey

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$120.00
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to

Deposit Account Number 502518. I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ attorney or agent of record. Registration Number 51,541
- ☐ attorney or agent under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____



Signature

Gerald Chan

Typed or printed name

April 13, 2006

Date

650-849-4960

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

- ☒ Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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CKHLOK
date: 08/30/2006
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